

EXHIBIT A

(Complaint & Acceptance of Service)

EXHIBIT A

DISTRICT COURT CIVIL COVER SHEET

Clark County, Nevada

Case No.

A-17-749204-C

(Assigned by Clerk's Office)

I

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): ASHLEY MURRAY, an individual;	Defendant(s) (name/address/phone): UNIVERSAL HEALTH SERVICES, INC. D/B/A AND A/K/A SUMMERLIN HOSPITAL; SUMMERLIN HOSPITAL MEDICAL CENTER, LLC D/B/A SUMMERLIN HOSPITAL; VALLEY HEALTH SYSTEM, LLC; DOES 1 through 10; and ROE Corporations 11 through 20, inclusive,
Attorney (name/address/phone): Gabroy Law Offices 170 S Green Valley Parkway, Suite 280 Henderson, NV 89012 (702) 259-7777	Attorney (name/address/phone):

II. Nature of Controversy (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input checked="" type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ Civil Writ <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

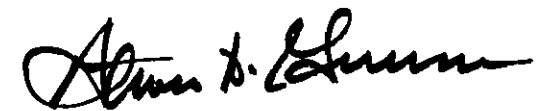
1/6/2017

Date

Signature of initiating party or representative

See other side for family-related case filings.

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CLERK OF THE COURT

COMJD

GABROY LAW OFFICES
Christian Gabroy (#8805)
Kaine Messer (#14240)
The District at Green Valley Ranch
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Henderson, Nevada 89012
Tel: (702) 259-7777
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christian@gabroy.com
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Attorneys for Plaintiff

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

ASHLEY MURRAY, an individual;

Plaintiff,

vs.

UNIVERSAL HEALTH SERVICES, INC.
D/B/A AND A/K/A SUMMERLIN
HOSPITAL; SUMMERLIN HOSPITAL
MEDICAL CENTER, LLC D/B/A
SUMMERLIN HOSPITAL; VALLEY
HEALTH SYSTEM, LLC;
DOES 1 through 10; and ROE
Corporations 11 through 20, inclusive,

Defendants.

Case No.: A-17-749204-C
Dept.: I

Complaint with Jury Demand

COMPLAINT

COMES NOW Plaintiff Ashley Murray ("Plaintiff" or "Ms. Murray"), by and through her attorneys Christian Gabroy, Esq. and Kaine Messer, Esq. of Gabroy Law Offices, and complains of Defendants Universal Health Services, Inc. d/b/a and a/k/a Summerlin Hospital, Summerlin Hospital Medical Center, LLC d/b/a Summerlin Hospital, and Valley Health System, LLC (collectively referred to herein as "Defendants") as follows:

VENUE AND JURISDICTION

1. There is a civil action for damages under state and federal laws prohibiting unlawful employment actions and to secure the protection of and to redress deprivation of

1 rights under these laws.

2 2. This Court has Jurisdiction based upon federal and state law.

3 3. Jurisdiction and venue is also based on Plaintiff's claims under Nevada state
4 and common law.

5 4. All alleged unlawful employment actions occurred within this judicial district.

6 5. The EEOC issued a right to sue on October 13, 2016. A true and correct
7 copy of such notice of right to sue is attached as Exhibit I.

8 6. Plaintiff demands a jury trial on all issues triable by jury herein.

9 **THE PARTIES**

10 7. Plaintiff, at all times relevant, is a natural individual residing in Clark County,
11 Nevada.

12 8. Plaintiff was an employee of Defendants Universal Health Services, Inc. d/b/a
13 and a/k/a Summerlin Hospital.

14 9. Plaintiff was an employee of Defendant Summerlin Hospital Medical Center,
15 LLC d/b/a Summerlin Hospital.

16 10. Plaintiff was an employee of Valley Health System, LLC.

17 11. Defendant Universal Health Services, Inc. d/b/a and a/k/a Summerlin
18 Hospital is a foreign corporation organized under the laws of Delaware and residing within
19 the State of Nevada.

20 12. Defendant Summerlin Hospital Medical Center, LLC d/b/a Summerlin
21 Hospital is a Nevada limited liability company listed with the Nevada Secretary of State and
22 also holds the fictitious firm name for Summerlin Hospital Medical Center with Clark County
23 and was doing business in this Judicial District in Clark County, Nevada where the subject
24 unlawful employment practices occurred.

25 13. Defendant Valley Health System, LLC is a Nevada limited liability company
26 listed with the Nevada Secretary of State.

27 14. At all times relevant, Defendants had custody and/or control over Plaintiff
28 and her employment and was responsible for Plaintiff's labor and employment matters.

15. DOE DEFENDANTS 1-10, inclusive, are persons and ROE DEFENDANTS 11-20, inclusive, are corporations or business entities (collectively referred to as "DOE/ROE DEFENDANTS"), whose true identities are unknown to Plaintiff at this time. These ROE CORPORATIONS may be parent companies, subsidiary companies, owners, predecessor or successor entities, or business advisors, de facto partners, Plaintiff's employer, or joint venturers of Defendants.

16. Individual DOE DEFENDANTS are persons acting on behalf of or at the direction of any Defendants or who may be officers, employees, or agents of Defendants and/or a ROE CORPORATION or a related business entity. These DOE/ROE Defendants were Plaintiff's employer(s) are liable for Plaintiff's damages alleged herein for their unlawful employment actions/omissions. Plaintiff will seek leave to amend the Complaint as soon as the true identities of DOE/ROE DEFENDANTS are revealed to Plaintiff.

FACTUAL ALLEGATIONS

17. Ms. Murray was hired by Defendants on or about July 13, 2015 as a Patient Services Representative.

18. Defendants represent to the general public that they "focus on clearly defined goals designed to bring about exemplary patient care."

19. Ms. Murray is the mother of three children, and is responsible for providing for her family.

20. Ms. Murray suffered from a serious health condition, her pregnancy.

21. Ms. Murray was expecting a baby, with an initial delivery date predicted on or around July 13, 2016.

22. In or about December of 2015, Ms. Murray provided notice to Defendants of her pregnancy.

23. In or about January 2016, Ms. Murray began having complications from the pregnancy.

24. In or about February 2016, Ms. Murray's supervisor asked her about the state of the pregnancy.

1 25. In or about February 2016, Ms. Murray responded to her supervisor's inquiry
2 by informing her she had been experiencing pregnancy complications including but not
3 limited to morning sickness, weakness, bladder issues, dizziness, and shortness of breath.

4 26. In or about February 2016, Ms. Murray's pregnancy complications began to
5 worsen.

6 27. In or about February 2016, Ms. Murray's increasing pregnancy complications
7 caused her to begin to call off from work or leave before the end of scheduled shifts.

8 28. In or about February 2016, when Ms. Murray would inform call off from work
9 or ask to leave a shift early, her supervisor would often sigh and would question Ms. Murray
10 about the seriousness of the pregnancy complications.

11 29. By about April 2016, Ms. Murray had nearly exhausted her accrued paid time
12 off.

13 30. On or about April 5, 2016, Ms. Murray became ill while registering a patient.

14 31. Ms. Murray's coworker witnessed Ms. Murray becoming ill and called Ms.
15 Murray's supervisor to inform her Ms. Murray had become ill and would therefore have to
16 leave work.

17 32. Ms. Murray's supervisor came into the room where Ms. Murray was while she
18 was still experiencing symptoms of her illness.

19 33. Upon Ms. Murray's supervisor coming into the room, Ms. Murray asked her
20 supervisor if she could leave work for the day.

21 34. Upon being asked if Ms. Murray could leave early for the day, Ms. Murray's
22 supervisor informed Ms. Murray she would have to work the rest of her shift.

23 35. Approximately thirty (30) minutes after Ms. Murray's supervisor denied Ms.
24 Murray's request to leave early, Ms. Murray again became ill.

25 36. Upon again becoming ill, Ms. Murray called her supervisor and informed her
26 she had become ill and would have to leave work.

27 37. Upon hearing Ms. Murray would have to leave work, Ms. Murray's supervisor
28 took a deep sign and said "okay" before hanging up.

1 38. On or about April 26, 2016, Ms. Murray's supervisor holds a meeting with Ms.
2 Murray and another coworker.

3 39. During the aforementioned meeting on or about April 26, 2016, Ms. Murray's
4 supervisor instructed Ms. Murray and her coworker that they were to both begin using the
5 work-station-on-wheels ("WOW") machine which requires employees to push and/or pull the
6 heavy machine.

7 40. During the aforementioned meeting on or about April 26, 2016, Ms. Murray
8 informed her supervisor that she was unable to use the WOW machine due to the weight of
9 the machine and how it strained her stomach muscles.

10 41. Ms. Murray feared the weight of the WOW machine and the strained it caused
11 on her stomach would seriously affect her pregnancy and would put her unborn child at risk.

12 42. During the aforementioned meeting on or about April 26, 2016, after Ms.
13 Murray informed her supervisor that she was unable to use the WOW machine, Ms. Murray's
14 supervisor informed Ms. Murray that if she was not willing to use the WOW machine she
15 would have to find another job.

16 43. On or about April 26, 2016 following the aforementioned meeting, Ms. Murray's
17 supervisor requested Ms. Murray write a personal statement declaring that she would not
18 use the WOW machine.

19 44. Defendants list the "Major Source of Physical Demand" for the Patient Services
20 Representative position as "sedentary work, computer and clerical tasks." See a true and
21 correct copy of the Patient Services Representative Job Description and Physical
22 Requirements attached as Exhibit II.

23 45. Defendants list the "Strength" requirements of the Patient Services
24 Representative position as "Moderate push/pull (10 to 20 pounds) Not required." See a true
25 and correct copy of the Patient Services Representative Job Description and Physical
26 Requirements attached as Exhibit II.

27 46. Defendants further list the "Strength" requirements of the Patient Services
28 Representative position as "Heavy push/pull (21 to 50 pounds) Not required." See a true and

1 correct copy of the Patient Services Representative Job Description and Physical
2 Requirements attached as Exhibit II.

3 47. Defendants further list the "Strength" requirements of the Patient Services
4 Representative position as "Heaviest push/pull (> 50 pounds) Not required." See a true and
5 correct copy of the Patient Services Representative Job Description and Physical
6 Requirements attached as Exhibit II.

7 48. On or about May 1, 2016, Ms. Murray sought treatment due to pregnancy
8 complications.

9 49. On or about May 1, 2016, Ms. Murray was given a return to work date of May
10 4th, 2016.

11 50. On or about May 4, 2016, Ms. Murray presented to her OB/GYN, for a follow-
12 up visit.

13 51. On or about May 4, 2016, Ms. Murray's physician extended her leave for the
14 duration of her pregnancy with a return to work date of September 6, 2016. See a true and
15 correct copy of the Attending Physician's Statement-Progress Report attached as Exhibit III,
16 page 2.

17 52. On or about May 4, 2016, Ms. Murray's physician described the Ms. Murray's
18 condition as "unable to work due to shortness of breath, weakness, and vertigo when
19 standing. See a true and correct copy of the Attending Physician's Statement-Progress
20 Report attached as Exhibit III, page 2.

21 53. On or about May 4, 2016, Ms. Murray called her supervisor and informed her
22 that her physician had places her on leave.

23 54. On or about May 4, 2016, upon being informed by Ms. Murray her doctor had
24 placed her on leave, Ms. Murray's supervisor instructed her to call the company that handled
25 Defendants' employees' short-term disability.

26 55. On or about May 4, 2016, Ms. Murray called the company that handled
27 Defendants' employees' short-term disability.

28 56. On or about May 4, 2016, Ms. Murray was informed she had until May 24, 2016

1 to turn in all necessary paperwork for her disability.

2 57. On or about May 7, 2016, Ms. Murray checked her schedule posted online to
3 confirm she had been placed on leave as May 7, 2016 would have been her next scheduled
4 work day following her May 1, 2016 doctor's treatment.

5 58. Upon checking the work schedule posted online on or about May 7, 2016, Ms.
6 Murray discovered Defendants had scheduled her to work that day.

7 59. Upon learning she had been scheduled to work on May 7, 2016, Ms. Murray
8 sent a text message to her supervisor reminding her that she was still out on leave. See a
9 true and correct copy of May 7, 2016 Text Message Conversation attached as Exhibit IV.

10 60. On or about May 7, 2016, Defendants responded, "You really need to call me
11 and speak to me. First of all it is a policy violation to text a call out. Second of all you have
12 not been employed with the company long enough to be entitled to short-term disability. I
13 need you to give me a call ASAP. I attempted to call you right when you text me however
14 you did not answer." See a true and correct copy of May 7, 2016 Text Message Conversation
15 attached as Exhibit IV.

16 61. After receiving the text message from Defendant, Ms. Murray called her
17 supervisor.

18 62. During the telephone conversation, Ms. Murray's supervisor informed Ms.
19 Murray she was irritated and frustrated with Ms. Murray's "whole pregnancy" situation.

20 63. On or about June 1, 2016, Defendants sent Ms. Murray a letter which declared:

21 We have received notification...that your Medical Leave of
22 Absence has exhausted as of 5/24/16. You have not returned
23 to work as of this date, and [the company that handled
24 Defendants' employees' short-term disability] has indicated
25 information due to them 5/31/16 will be reviewed to determine
an extension of LOA.

This type of leave does not qualify for job protection, and your
manager may need to fill your position.

26 See a true and correct copy of June 1, 2016 Letter attached as Exhibit V.

27 64. Ms. Murray did not receive the June 1, 2016 letter until on or about June 13,
28 2016.

65. On or about June 17, 2016, Ms. Murray called Defendants' Human Resources seeking further explanation of her job status.

66. During the June 17, 2016 telephone conversation, Defendants informed Ms. Murray that her position had been posted but Defendants had yet to fill the position of to conduct interviews for the position.

67. During the June 17, 2016 telephone conversation, Defendants informed Ms. Murray that she would have job security if she returned to work prior to July 13, 2016.

68. On or about June 21, 2016, Plaintiff complained of harassment and discrimination to Defendants via email. See a true and correct copy of June 21, 2016 email attached as Exhibit V.

69. On or about June 22, 2016, Defendants mailed a letter to Defendants declaring "We have received notification...that your Medical Leave of Absence is approved through 7/12/2016. This type of leave does not qualify for job protection, and your manager has filled your position." See a true and correct copy of June 22, 2016 Letter attached as Exhibit VI.

70. On or about June 22, 2016 Defendants terminated Ms. Murray.

71. On or about June 22, 2016, Ms. Murray filed a charge of discrimination and retaliation with the U.S. Equal Employment Opportunity Commission.

FIRST CAUSE OF ACTION
SEX/PREGNANCY DISCRIMINATION
NRS 613.335/Pregnancy Discrimination Act/Title VII 42 U.S.C. §2000e et. seq.

72. Plaintiff repeats and realleges the allegations contained in Paragraphs 1 through 71 above as if fully incorporated herein.

73. As more fully set forth above, Defendants subjected Plaintiff to unwelcome, discriminatory, and harassing behavior.

74. Defendants committed unlawful actions, including but not limited to discriminatory comments regarding Plaintiff's pregnancy. Such actions constitute unlawful pregnancy and/or sex discrimination and harassment.

75. Ms. Murray was told on by Defendants' agents that she was irritated and frustrated with Ms. Murray's "whole pregnancy" situation.

76. As more fully set forth above, Plaintiff was subject to unlawful conduct and discrimination based upon her protected status as a pregnant female which included the termination of Plaintiff from her job based upon her protected status. Such conduct at all times was unwelcome.

77. Additionally, Defendants failed to accommodate Plaintiff's pregnancy.

78. Further, Defendants terminated Plaintiff based upon her protected status as a pregnant female.

79. All of Defendants unlawful actions described herein were done willfully and intentionally and in reckless disregard for Plaintiff's protected rights under state law.

80. As a direct and proximate result of the conduct of the Defendants described hereinabove, Plaintiff has sustained damages in excess of Fifteen Thousand Dollars (\$15,000.00).

81. As a result of Defendants conduct, as set forth herein, Plaintiff has been required to retain the services of an attorney, and, as a direct, natural, and foreseeable consequence thereof, have been damaged thereby, and are entitled to reasonable attorneys' fees and costs

82. Defendants have acted willfully and maliciously, and with oppression, fraud, or malice, and as a result of Defendants wrongful conduct, Plaintiff is entitled to an award of exemplary or punitive damages.

SECOND CAUSE OF ACTION **NEGLIGENT HIRING, TRAINING, AND SUPERVISION**

83. Plaintiff repeats and realleges all of the allegations contained in Paragraphs 1 through 82 of this complaint as though fully set forth herein.

84. Defendants had a duty of reasonable care to protect the Plaintiff from the negligent and/or careless actions of their own agents, officers, employees and others. In addition, Defendants had a duty not to hire individuals with a propensity towards committing unlawful acts against Plaintiff, and to adequately train and supervise their employees in regards to all correct policies and procedures in regards to harassment, medical leave,

1 absence, and/or termination policies and procedures.

2 85. In violations of that duty, Defendants damaged Plaintiff by failing to
3 supervise, train and hire appropriate personnel which resulted in damages including severe
4 emotional distress including but not limited to great mental and emotional harm, anguish,
5 insecurity, damage to self-esteem and self-worth, shame and humiliation, lack of appetite,
6 loss of sleep and/or anxiety.

7 86. As a direct and proximate result of Defendants' conduct described
8 hereinabove, Plaintiff has sustained damages in excess of Fifteen Thousand Dollars
9 (\$15,000).

10 87. As a result of Defendants' conduct, as set forth herein, Plaintiff has been
11 required to retain the services of an attorney, and, as a direct, natural, and foreseeable
12 consequence thereof, has been damaged thereby, and is entitled to reasonable attorney's
13 fees and costs.

14 88. Defendants have acted willfully and maliciously, and with oppression, fraud,
15 or malice, and a result of Defendants' wrongful conduct, Plaintiff is entitled to an award of
16 exemplary or punitive damages.

17 **WHEREFORE**, Plaintiff prays for judgment against Defendants as follows:

- 18 1. For general damages in excess of \$15,000.00;
- 19 2. For special damages in excess of \$15,000.00;
- 20 3. For consequential damages in excess of \$15,000.00;
- 21 4. For punitive damages in excess of \$15,000.00;
- 22 5. For liquidated damages in excess of \$15,000.00;
- 23 6. For injunctive relief; and

24 ///

25 ///

26 ///

27 ///

28 ///

DATED this 6th day of January 2017.

By

Page 11 of 11

IAFD

Gabroy Law Offices
 Christian Gabroy (#8805)
 Kaine Messer (#14240)
 The District at Green Valley Ranch
 170 South Green Valley Parkway, Suite 280
 Henderson, Nevada 89012
 Tel: (702) 259-7777
 Fax: (702) 259-7704
christian@gabroy.com
Attorneys for Plaintiff

DISTRICT COURT**EIGHTH JUDICIAL DISTRICT COURT, CLARK COUNTY NEVADA**

ASHLEY MURRAY, an individual;

Case No.

Plaintiff,

Dept.

vs.

Initial Appearance Fee Disclosure

UNIVERSAL HEALTH SERVICES, INC.
 D/B/A AND A/K/A SUMMERLIN
 HOSPITAL; SUMMERLIN HOSPITAL
 MEDICAL CENTER, LLC D/B/A
 SUMMERLIN HOSPITAL; VALLEY
 HEALTH SYSTEM, LLC;
 DOES 1 through 10; and ROE
 Corporations 11 through 20, inclusive,

Defendants.

Pursuant to NRS Chapter 19, filing fees are submitted for parties appearing in the
 above-captioned action as indicated below:

Ashley Murray, Plaintiff

\$270.00

TOTAL REMITTED

\$270.00

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///

GABROY LAW OFFICES

170 S. Green Valley Pkwy., Suite 280
Henderson, Nevada 89012
(702) 259-7777 FAX: (702) 259-7704

1 ///

2 ///

3 Dated this 6th day of January 2017.

6 GABROY LAW OFFICES

7 By:  _____

8 Christian Gabroy, Esq.
9 The District at Green Valley Ranch
10 170 South Green Valley Parkway
11 Suite 280
12 Henderson, Nevada 89012
13 Tel: (702) 259-7777
14 Fax: (702) 259-7704
15 christian@gabroy.com
16 *Attorney for Plaintiff*

EXHIBIT I

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Ashley Murray**
9552 W. Tropicana # 1072
Las Vegas, NV 89147

From: **Las Vegas Local Office**
333 Las Vegas Blvd South
Suite-8112
Las Vegas, NV 89101



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

487-2016-01315

Richard T. Burgamy,
Local Office Director

(702) 388-5054

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

OCT 13 2016

Enclosures(s)

Richard T. Burgamy,
Local Office Director

(Date Mailed)

cc:

Alicia Dittenhoefer
HR Administrator
SUMMERLIN HOSPITAL & MEDICAL CARE
657 Town Center Dr
Las Vegas, NV 89144

EXHIBIT II

Patient Services Representative-SHMC (FT-varied) Consolidated

Job ID: 192078

Description/Purpose Of Position:

Responsible for incoming patients of his/her representative and records information required for admission.

Description/Purpose Of Position:

Responsible for incoming patients of his/her representative and records information required for admission.

Minimum Qualifications:

Education:

High School or equivalent.

Experience:

Two years experience in a hospital admitting office or physician office preferred.

Technical Skills:

Computer proficiency to include word processing and patient accounting system.

Other:

Must be able to demonstrate the knowledge and skills necessary to provide service appropriate to the age of the patient. Some positions may require accurate interpretation and translation in a bilingual targeted language.

Apply Now

VERY LIGHT PHYSICAL LABOR**ADMINISTRATIVE /CLERICAL**

The following checklist serves as a guide in determining the strength and stamina needed to meet the physical requirements of this position.

Major Source of Physical Demand: sedentary work, computer and clerical tasks

F Frequently (3-5 hours duration)	NA Not physically required
C Constantly (6 + hours duration)	O Occasionally (0-2 hours duration)
Strength	
Light Lift (< 10 pounds)	Constantly
Moderate Lift (10 to 20 pounds)	Occasionally
Heavy Lift (21 to 50 pounds)	Not required
Heaviest Lift (> 50 pounds)	Not required
Light push/pull (< 10 pounds)	Constantly
Moderate push/ pull (10 to 20 pounds)	Not required
Heavy push/pull (21 to 50 pounds)	Not required
Heaviest push/pull (> 50 pounds)	Not required
Manual Dexterity/Coordination	
Simple Manipulative skills (washing, cutting, turning)	Not required
Moderate difficult manipulative skills (repairing equipment)	Constantly
Difficult manipulative skills	Not required
Hand-eye coordination tasks (using tools)	Constantly
Arm-hand steadiness (handling tools, knives, hot substances)	Not required
Mobility	
Walk	Occasionally
Stand	Occasionally
Sit for prolonged periods	Constantly
Get into/remain in awkward positions	Not required
Bending/Twisting	Occasionally
Reaching (overhead)	Occasionally
Climbing	Not required
Stooping/Squatting/Kneeling	Occasionally
Visual/Auditory	
See far distances	Not required
See objects close up (reading)	Constantly
Discriminate colors (electrical wiring)	Not required
Hear normal sounds with some background noise	Constantly
Distinguish sounds	Constantly

The above analysis is for the sole purpose of complying with "The Americans with Disabilities Act" and is not to be construed to include all employees in each job classification. The Employer reserves the right to change the requirements of each job analysis as changes in business and/or technology dictate. All weights, distances and measurements cited in this analysis are approximations.

EXHIBIT III

016 15:07:51 EDT FROM: F2M/85080260744

MSG# 1606180999-006-1

PAGE 002 OF 003

Please fax the completed form to:
 Fax Number: 866-411-5613
 The Hartford
 P.O.Box 14301
 Lexington, KY 40512-4301

2304116



ATTENDING PHYSICIAN'S STATEMENT - PROGRESS REPORT

To be completed by the Employee

Patient Name: Ashley M. Murray	Date of Birth: 11/04/1988	Insured ID Number: 9004797818
Patient Address: (Street, City, State & Zip Code)		

To be completed by the Provider - Use current information from your patient's most recent office visit or examination to complete this form. (The patient is responsible for the completion of this form without expense to the Company.)

Medical Conditions Impacting Activity

Primary condition: <u>Pregnancy</u>	ICD-9 Code: <input type="checkbox"/>	ICD-10 Code: <input checked="" type="checkbox"/> <u>M62.2233</u>
Secondary condition(s): <u>Scoliosis</u>	ICD-9 Code: <input type="checkbox"/>	ICD-10 Code(s): <input checked="" type="checkbox"/> <u>M41.9</u>
Subjective symptoms: <u>Shortness of breath, dizzy and weak</u> <u>causing falls.</u>		
Objective Physical Findings (Please include office notes for date(s): _____ to _____)		
Pertinent Test Results (List all results or attach test results):		
Test: _____	Date: _____	Results: _____
Test: _____	Date: _____	Results: _____
Condition(s) Specific Medications, Dosage and Frequency: _____		

TREATMENT PLAN

Current Treatment Plan: <u>Prenatal Care</u>		
What is the Frequency / Duration of Treatment? <u>every 2 weeks</u> Dates of Treatment: _____		
First Office Visit for this condition: <u>12/23/15</u>	Last Office Visit: <u>5/25/16</u>	Next Scheduled Office Visit: <u>6/8/16</u>
Has Surgery been performed since last report: Yes <input checked="" type="radio"/> No If "Yes," on what Date(s): _____		
Procedure(s): _____		CPT Code(s): _____
Was patient hospitalized since last report? Yes <input checked="" type="radio"/> No If "Yes," Hospital name and Phone Number: _____		
Admission date: _____		Discharge date: _____
Has patient been referred to other physicians? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," Date of Referral(s): _____		
Other Physician Name _____	Phone Number: (____) _____	Specialty: _____
Other Physician Name _____	Phone Number: (____) _____	Specialty: _____

† The Hartford® is The Hartford Financial Services Group, Inc. and its subsidiaries.

2016 15:08:03 EDT FROM: F2M/85080260744

MSG# 1606100999-006-1

PAGE 003 OF 003

Print Name: _____ Date of Birth: _____ Insured ID Number: _____

Please complete this section to the best of your ability. Generalized comments such as "unable to work" may delay your patient's disability benefits.

Based on your most recent medical findings and opinion, address the full range of restrictions/limitations, noting that we will conclude there are no restrictions on function unless specified below.

Restrictions/Limitations based on office visit dated: 5/4/16 Expected Return to Work date: 9/6/16

In an 8 hour period the patient is able to: (select either continuous or intermittent)

	Continuously with standard breaks	or	Intermittently with standard breaks	If Intermittent circle time for each section below													
				Hours at one time								Total hours/8 hours					
Sit	<input type="checkbox"/>		<input type="checkbox"/>	1	2	3	4	5	6	7	8	1	2	3	4	5	6
Stand	<input type="checkbox"/>		<input type="checkbox"/>	1	2	3	4	5	6	7	8	1	2	3	4	5	6
Walk	<input type="checkbox"/>		<input type="checkbox"/>	1	2	3	4	5	6	7	8	1	2	3	4	5	6

Provide medical findings/rationale for your opinion if patient is unable to continuously sit, stand or walk:

Patient unable to work due to shortness of breath, weakness, and vertigo when standing.

Activity Ability (with normal breaks)	Never 0 hours	Occasionally up to 2.5 hours	Frequently 2.5 to 5.5 hours	Constantly 5.5 to 8 hours	Please indicate diagnosis, symptoms, exam findings, and/or imaging that supports the restrictions/limitations
Bend at waist	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Kneel/crouch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Climb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Balance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Drive	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Lift - Indicate weight in pounds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other Restrictions (if any)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Hand Dominance: ☐ Right ☐ Left

Upper Extremity Activity (not load bearing) Specify right (R) or left (L) if not bilateral

Fine manipulation (fingering, keyboard)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Gross manipulation (grip/grasp, handle)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Reach (extend arms) above shoulder	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Reach (extend arms) below shoulder at desk or workbench level	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Please attach copies of imaging results/tests

Expected duration of any restriction(s) or limitation(s) listed above: Delivery + 8 weeks

Current Status (Please check one): ☐ Recovered ☐ Improved ☒ Unchanged ☐ Retrogressed

Additional Comments (If Necessary): EDD 7/12/16

Does the patient have a psychiatric / cognitive impairment? ☐ Yes ☒ No If "Yes," please describe the extent of the impairment and its etiology:

In your opinion is the patient competent to endorse checks and direct the use of the proceeds? ☒ Yes ☐ No

Provider's Name: (please print or type) Douglas Tanita, MD

EIN Number:

License Number: 13860

Telephone Number: (702) 617-1227

Fax Number: (702) 384-7139

Degree: MD

Specialty: OB/GYN

Street Address (Street, City, State & Zip Code): 2845 Siena Heights Dr Henderson NV 89052

Office Contact and Telephone Number:

Provider's Signature: [Signature]

Date signed: 5/27/16

EXHIBIT IV



Good morning Darlene, did you get a notification that my doc has taken me off work until the 15th of this month?

10:38 AM

On STD

10:38 AM

You really need to call me and speak to me. First of all it is a policy violation to text a call out. Second of all you have not been employed with our company long enough to be entitled to short-term disability. I need you to give me a call ASAP. I attempted to call you right when you text me however

160/1

Type message



employed with our company long enough to be entitled to short-term disability. I need you to give me a call ASAP. I attempted to call you right when you text me however you did not answer.@

11:57 PM

Hi Darlene, just checking in with you, I just checked on Shifthound and it shows me still off which is correct. I was put on Leave until delivery, but Tia mentioned seeing me at work tomorrow.

6:11 PM

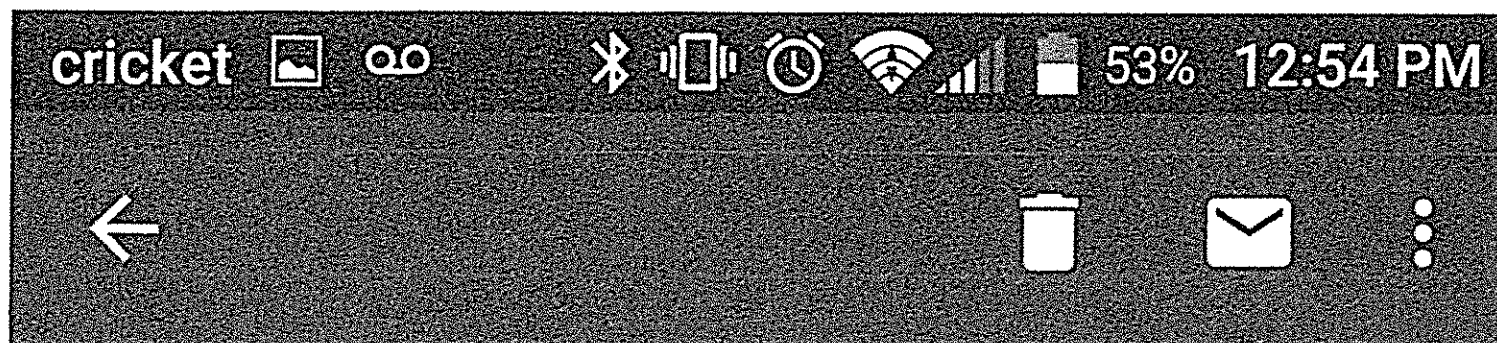
Shifthound should is up-to-date.

6:26 PM

160/1

Type message

EXHIBIT V



Ashley m

to Rhonda

5 days ago [View details](#)



----- Forwarded message -----

From: "Ashley m" <ammurray76@gmail.com>

Date: Jun 21, 2016 10:01 PM

Subject: Unethical Work events

To: <lori.briggs@uhsinc.com>

Cc:



IMG_20160621_214743.jpg



IMG_20160621_214755.jpg

I am writing this CONFIDENTIAL letter, in regards to several unethical events that have happened in the work place: name calling, harassment, personal attacks, and discrimination from my Dept. Manager Darlene Dove unto myself. They have been going on for several weeks. I would like the issues resolved immediately with no retaliation.

On April 11~ I was called into a one-on-one meeting with Darlene. She pulled me into the office and told me that it was brought to her attention from several employees that I had been bullying a co-worker, Julieann. I was shocked at the accusations, but allowed her to finish. She proceeded to tell me that employees told her that they witnessed me bullying Julieann and had come to her in hopes of getting it resolved. I listened to the claims.

Darlene: I wanted to talk to you because it was brought to my attention by several employees that you



work events.docx



EXHIBIT VI

The Valley Health System

Representing:

Desert Springs, Spring Valley, Summerlin, Valley and Centennial Hills Hospital Medical Centers
8801 West Sahara, Ste. 201
Las Vegas, Nevada 89117

June 22, 2016

ASHLEY MURRAY
6371 PEBBLECREEK LODGE WAY
LAS VEGAS, NV 89148

Dear Ashley:

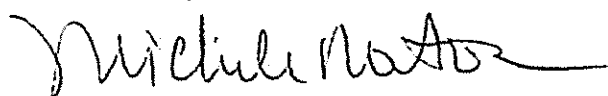
We have received notification from Sedgwick that your Medical Leave of Absence is approved through 7/12/16. This type of leave does not qualify for job protection, and your manager has filled your position.

You may apply for any open position in which you meet the minimum qualifications once you are able to return to work. You may also apply at the other Valley Health System hospitals.

The Corporate Benefits Office will contact you about continuing your insurance under COBRA. If you have participated in the 401(k) plan it is your responsibility to contact Fidelity at 1-800-835-5092.

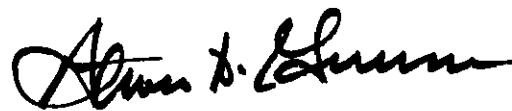
If you have any questions, please contact me in the Human Resources Department at 702-369-7894.

Sincerely,



Michele Norton
HR Generalist

Electronically Filed
01/23/2017 10:32:22 AM



CLERK OF THE COURT

ACSR

GABROY LAW OFFICES
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Fax (702) 259-7704
christian@gabroy.com
kmesser@gabroy.com
Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

ASHLEY MURRAY, an individual;

Plaintiff,

vs.

UNIVERSAL HEALTH SERVICES, INC.
D/B/A AND A/K/A SUMMERLIN
HOSPITAL; SUMMERLIN HOSPITAL
MEDICAL CENTER, LLC D/B/A
SUMMERLIN HOSPITAL; VALLEY
HEALTH SYSTEM, LLC;
DOES 1 through 10; and ROE
Corporations 11 through 20, inclusive,

Defendants.

Case No. A-17-749204-C

Dept. No. I

ACCEPTANCE OF SERVICE

Wendy M. Krincek of Littler Mendelson, P.C., attorney for Universal Health Services, Inc., Summerlin Hospital Medical Center, LLC., and Valley Health Systems, LLC., hereby accepts service of Summons and Complaint on behalf of Defendants Universal Health

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1 Services, Inc., Summerlin Hospital Medical Center, LLC., and Valley Health System, LLC.

2 DATED this 23 day of January 2017.

3 LITTLER MENDELSON, F. C.

4 By: 

5 Wen M. Krincek, Esq.

6 3960 Howard Hughes Parkway

7 Suite 300

8 Las Vegas, NV 89169

9 Fax: (702) 993-0569

10 wkrincek@littler.com

11 Attorney for Defendant